

REMARKS

Claims 1-21 and 25 are pending in the instant application. Claims 22-24 were previously cancelled. Claim 25 has been added. Claims 1, 20 and 21 have been amended. No new matter has been added.

Applicants respectfully request reconsideration based on the following remarks.

Interview Summary

Applicants' undersigned attorney thanks the Examiner for the telephonic interview of February 26, 2008, where the preceding claim amendments and the various rejections set forth in the November 27, 2007 Office Action were discussed. During this interview, the Examiner stated that the 35 U.S.C. §102(b) rejection based on Robertson and Orr would likely be withdrawn in view of the preceding claim amendments. The Examiner also indicated that claims 20-21 would likely be allowable.

35 U.S.C. 102 Rejections

The Examiner rejects claims 1-7, 9-15, 17 and 18 under 35 U.S.C. 102(b) as anticipated by Raulerson et al. (U.S. Patent No. 6,551,281) and also as anticipated by Orr et al. (U.S. Patent No. 5,263,938). These rejections are respectfully traversed.

Independent claim 1, as amended, recites the "catheter being sized such that said proximal end, distal end and body of said catheter are passable through said needle bore." At least this feature, in combination with the other features defined in claim 1, is not taught or suggested by Robertson or Orr.

Example embodiments of this feature are disclosed throughout the specification of the present application. At a minimum, paragraphs [0033], [0034], [0039] and [0045] of the present application as published illustrate the ability to pass the entirety of the catheter 10 through the bore of needle 12. As the catheter 10 includes the stiffening section 30, the stiffening section 30 must also have the ability to be passed through the bore of the needle 12.

Neither Raulerson nor Orr disclose any structure that can be considered a catheter that is “sized” such that it is “passable through said needle bore” as recited in claim 1. Further, neither Raulerson nor Orr disclose a stiffening section that is “sized” such that that is “passable through said needle bore” as recited in claim 1.

For at least these reasons, reconsideration and withdrawal of the anticipation rejections is respectfully requested. It is respectfully submitted that independent claim 1 is in condition for allowance, and that the dependent claims are allowable for the reasons discussed above as well as for the additional features they recite.

35 U.S.C. 103 Rejections

Claims 8, 16 and 19-21 have been rejected as obvious under 35 U.S.C. §103(a) over Raulerson or Orr. These rejections are respectfully traversed.

As detailed above, neither Raulerson nor Orr disclose a catheter and a stiffening portion of the catheter “sized” such that they are “passable through said needle bore” as recited in independent claims 20-21.

For at least these reasons, reconsideration and withdrawal of the anticipation rejections is respectfully requested. It is respectfully submitted that independent claim 20-21 are in condition for allowance.

Conclusion

In view of the above, reconsideration and favorable allowance of each of the claims in connection with the present application is earnestly solicited.


Should the Examiner have any questions or wish to discuss the application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Enclosed is our check in the amount of \$930, which includes \$810.00 to cover the fee for the concurrently submitted Request for Consideration (RCE) and \$120 to cover the fee for a one (1) month extension of time. However, if any further fees are required to preserve the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: New York, New York
February 28, 2008

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